



UNITED STATES PATENT AND TRADEMARK OFFICE

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**JAN 21 2005**

In re Application of

Maenpaa

Application No. 09/894,803

Filed: June 29, 2001

Atty. Dkt. No.: TU1.P29

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**OFFICE OF PETITIONS**

: DECISION ON PETITION

This decision is in response to the petition under 37 CFR 1.137(b),  
filed November 29, 2004.

The petition under 37 CFR 1.137(b) is GRANTED.

This application became abandoned June 9, 2004 for failure to timely  
submit a proper reply to the final Office action mailed March 8, 2004.  
The final Office action set a three (3) month shortened statutory  
period of time for reply. No petition for extension of time under 37  
CFR 1.136(a) was submitted. Notice of Abandonment was mailed October  
1, 2004.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1)  
the required reply; (2) the petition fee as set forth in 37 CFR  
1.17(m); (3) a statement that the entire delay in filing the required  
reply from the due date of the reply until the filing of a grantable  
petition was unintentional. The Commissioner may require additional  
information where there is a question whether the delay was  
unintentional; and (4) any terminal disclaimer (and fee as set forth  
in 37 CFR 1.20(d)) required pursuant to paragraph (d) of this section.

The instant petition has been reviewed and found in compliance with  
the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely  
reply to the final Office action mailed March 8, 2004 is accepted as  
having been unintentionally delayed.

This application file is being forwarded to Technology Center 3700 for  
processing of the RCE submitted herewith.

Telephone inquiries related to this decision may be directed to the  
undersigned at (571) 272-3205.

Alesia M. Brown  
Petitions Attorney  
Office of Petitions